


NOV 10 2014

UNITED STATES DISTRICT COURT
for the
Western District of Virginia

JULIA C. DUDLEY, CLERK
BY  DEPUTY CLERK

EARL RONALD COX,
Plaintiff

v.

OFFICE OF PRESEDNT USA,
Defendant

Civil Action No. 4:14CV00050

ORDER TO PROCEED WITHOUT PREPAYING FEES OR COSTS

IT IS ORDERED: The plaintiff's application under 28 U.S.C. § 1915 to proceed without prepaying fees or costs is:

☐ Granted:

☐ The Clerk is ordered to file the complaint. Plaintiff is represented by counsel and has not requested that the Court order that service of the summons and complaint be made by the United States Marshal. Accordingly, counsel for plaintiff is directed to effect service of process upon defendant(s).

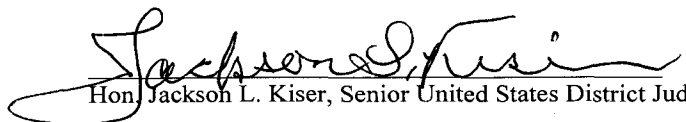
☐ The Clerk is ordered to file the complaint and issue a summons. The United States Marshal is ordered to serve the summons with a copy of the complaint and this order on the defendant(s). The United States will advance the costs of service.

☒ Denied:

☒ This application is denied for these reasons: I construe Plaintiff's most recent filing [ECF No. 5] as an amended Complaint and motion to reconsider. Pursuant to 28 U.S.C. § 1915(e)(2)(B)(i)–(iii), the application to proceed IFP is denied because the action is frivolous, fails to state a claim on which relief may be granted, and seeks monetary relief against a defendant who is immune from such relief. The amended Complaint does not cure any of those defects. The motion to reconsider is DENIED.

☒ If the filing fee is not paid within 14 days, the case will be dismissed.

Date: Nov. 10, 2014


Hon. Jackson L. Kiser, Senior United States District Judge